

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

P.S. – Departmental proceedings initiated against Sri T.John Babu, the then M.E.O. Devarapalli, West Godavari District – Retired from service before conclusion of disciplinary proceedings – Show cause notice under A.P.R.P. Rules, 1980 issued – Explanation submitted – Penalty of 10% cut in pension for one year imposed – Orders – Issued.

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EDUCATION [SE.Vig.I(2)] DEPARTMENT

G.O.Rt.No. 383

Dated: 21.7.2012

Read the following:-

- 1) From the DSE., Hyd., Lr. Rc.No.1033/C3-1/2008, dated 27.12.2008.
- 2) Govt. Memo.No.220/Vig.I(2)/2009-1, dated 15.01.2009.
- 3) From the RJDSE., Kakinada, Lr. Rc.No.4020/B1/2004, dated 01.02.2010.
- 4) From the C&DSE., Hyd., Rc.No.1033/C3-1/2008, dated 21.3.2010.
- 5) Govt. Memo.No.220/SE-Vig.I(2)/2009-2, dated 23.4.2010.
- 6) From the C&DSE., Hyderabad, Lr. Rc.No.1033/C3-1/2008, dt.24.9.2010.
- 7) Govt. Memo.No.220/SE-Vig.I(2)/2009-3, dated 17.01.2011.
- 8) From the C&DSE., Hyd., Lr. Rc.No.1033/C3-1/2008, dt.10.5.2011.
- 9) Govt. Memo.No.220/SE-Vig.I(2)/2009-4, dated 30.8.2011.
- 10) From the C&DSE., Hyd., Lr. Rc.No.1033/C3-1/2008, dt.21.3.2012.
- 11) From the Secretary (I/C), A.P.P.S.C., Hyderabad, Letter No.1297/RT/3/2012, Dated 04.7.2012.

ORDER:

The Commissioner & Director of School Education, A.P., Hyderabad in his letters read above has informed that the Regional Joint Director of School Education, Kakinada, vide his Procs. Rc.No.3273/B1/2002, dated 11.5.2003 has framed the following charges against Sri T.John Babu, the then Mandal Educational Officer, Avanigadda:-

Article of charge-I: That the said Sri T.John, while performing duties as M.E.O., Avanigadda, misused an amount of Rs.28,500/- related to Sarva Shiksha Abhiyan Scheme.

Article of charge-II: That the said Sri T.John while performing duties as M.E.O., Avanigadda utilised the salaries of Vidya Volunteers in advance for his sake and subsequently disbursed and obtained the acquaintances which is temporary misappropriation of public money.

Article of charge-III: That the said Sri T.John, M.E.O., Avanigadda, kept the amount of Honorarium of Bridge school teachers in his custody in cash on the dates 23, 24 & 30th August, 2002 un-authorisedly.

Article of charge-IV: That the said Sri T.John, M.E.O., Avanigadda, tampered the acquaintances of payment of Honorarium of Maths teachers related to Orientation training programme by adding Rs.30/- to an amount of Rs.120/- i.e. Rs.120/- +30/-.

2. The Commissioner & Director of School Education, A.P., Hyderabad has informed that for the above charges framed the Accused Officer Sri T.John Babu, M.E.O., has submitted the Written statement of defense dated 18.09.2003, and the R.J.D.S.E., Kakinada, vide Proc.Rc.No.3273/B1/2002, dated 22.10.2003 has appointed the Inquiry officer to inquire into the charges framed against the Accused Officer. Since, the Accused Officer., Sri T.John Babu, M.E.O., has not cooperated with the Inquiry Officer, the R.J.D.S.E., Kakinada, has issued show cause notices to the him, vide Proceedings, dated 12.06.2005, 21.12.2006, 08.06.2007. However, a report has been obtained in the matter from the Dy.E.O, Machilipatnam vide his letter Rc.No.152/08, dt.18.08.2008.

P.T.O.

3. The Commissioner & Director of School Education, Hyderabad has further informed that the R.J.D.S.E., Kakinada vide his Procs. Rc.No.4020/B1/2004, dated 17.2.2007 has framed the following charges also against the A.O., Sri T.John Babu, M.E.O., Devarapalli, West Godavari District:-

Article of charge-I: Non payment of TA, DA to the Headmasters who attended DISE Training programme in the month of September, 2003.

Article of charge-II: Non-availability of records/acquaintances with regard to payment of Honorarium during the year 2003-04 to the Vidya Volunteers.

Article of charge-III: Amount released to the tune of Rs.1,26,000/- on 15.03.2004 towards Honorarium to the instructors and Helpers of Bala Vikas Kendras. An amount of Rs.93,972/- was disbursed. But acquaintances were produced for Rs.73,206/-. Answer for the remaining amount is required.

Article of charge-IV: Non-availability of particulars for the amount released to the Teachers Grant for the period of 2002-03 & 2003-04.

Article of charge-V: Not maintaining cash books, acquaintances and other records. The Registers maintaining are incomplete shape.

4. The Commissioner & Director of School Education, Hyderabad has stated that a report on verification of records from the Dy.E.O, Tadepalligudem has been obtained, in the matter.

5. The Commissioner & Director of School Education, Hyderabad has further stated that as per report of the R.J.D.S.E., Kakinada, the Accused Officer has submitted defense statement on the above lapses. However, due to his non-cooperation, the regular enquiry was not conducted on the charges frames against him. In the meantime the incumbent has been retired from service on attaining the age of superannuation on 31.07.2008. Further the RJDSE., Kakinada has noticed that the alleged officer has drawn an amount of Rs.83,500/- from SBI, Avanigadda during August, 2002 and Sept., 2002 and disbursed an amount Rs.55,000/- (@ 500/- per school to 110 schools) during January, 2003. The remaining balance was remitted back to account on 19.09.2003. But it is construed that Sri T.John Babu temporarily misappropriated an amount of Rs.28,500/- and also has not cooperated with the enquiry officer during the detailed enquiry. The individual has kept the amount of Rs.28,500/- from September, 2002 to 19.09.2003 with him. Sri T.John Babu, M.E.O., has failed to maintain the records and registers and handing over the charge to his successor.

6. The Commissioner & Director of School Education, Hyderabad has further stated that in another case the R.J.D.S.E., Kakinada has opined that the Accused Officer Sri T.John Babu, remitted an amount of Rs.3,624/- on 29.04.2009 in Canara Bank account No.19085 which is in the name of the Project Officer, RVM(SSA), West Godavari District. Regarding the allegations of temporary misappropriation of L.I.C. subscriptions of 24 teachers for an amount of Rs.7,800/-, Sri T. John Babu produced a letter dated 28.05.2009 of Sr. Branch Manager, LIC of India, Kovvur Branch addressed to the MEO, Devarapalli that "no dues were pending under his paying authority upto 01.08.2008."

7. The Commissioner & Director of School Education, A.P., Hyderabad has stated that as per report of the Regional Joint Director of School Education, Kakinada, the Accused Officer has temporarily misappropriated of the Government funds and he has not cooperated with the Enquiry Officer and also not maintained records properly. It is further stated that the Rule position under Rule 20 (6) of APCS (CCA) Rules, 1991 reads that "where the Government servant to whom a copy of the article of charge has been delivered does not submit the written statement of defense on or before the date specified for the purpose or does not appear in person before the disciplinary authority, the disciplinary authority may decide to hold the inquiry ex-parte or if it considers necessary so to do, appoint an inquiry authority for the purpose".

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8. The Commissioner & Director of School Education, A.P., Hyderabad has finally stated that as per A.P. Revised Pension Rules, 1980, under Rule 9, the Government is a competent authority to take Departmental action against the retired Government servants and therefore requested the Government to issue necessary orders on the disciplinary actions initiated against Sri T.John Babu, Mandal Educational Officer, in the above two issues, since he was retired from Government service, on attaining the age of superannuation on 31.7.2008.

9. Government, after careful examination of the reports of the Commissioner & Director of School Education, A.P., Hyderabad, have observed that the Accused Officer has temporarily misappropriated the Government funds and deserves punishment and therefore issued a show cause notice to Sri T.John Babu, Mandal Educational Officer (Retd.), Devarapalli, West Godavari District, in the reference 9th read above directing to explain why a penalty of 10% cut in his pension for a period of one year under Rule 9 of A.P. Revised Pension Rules, 1980, shall not be imposed on him, on the Charges framed by the Regional Joint Director of School Education, Kakinada, Procs. Rc.No.3273/B1/2002, dated 11.5.2003 & Procs. Rc.No.4020/B1/2004, dated 17.2.2007.

10. Sri T.John Babu, Mandal Educational Officer (Retd.), Devarapalli, West Godavari has submitted his explanation in the reference 10th read above.

11. Government have examined the explanation of the Accused Official and after careful consideration of the matter confirmed its earlier decision and finally decided to impose the penalty of 10% cut in his pension for a period of one year against the charged official Sri T.John Babu, MEO (Retd.), Devarapalli, West Godavari District, under Rule 9 of A.P. Revised Pension Rules, 1980.

12. Accordingly, Government hereby impose a penalty of 10% cut in his admissible pension for a period of one year against Sri T.John Babu, MEO (Retd.), Devarapalli, West Godavari District, under Rule 9 of A.P. Revised Pension Rules, 1980, in the matter.

13. The Commissioner & Director of School Education, A.P., Hyderabad shall take necessary action, accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

RAJESHWAR TIWARI
PRL. SECRETARY TO GOVERNMENT (SE)

To

Sri T.John Babu, Mandal Educational Officer (Retd.), Devarapalli,
West Godavari District through the Commissioner & Director of School Education,
A.P., Hyderabad.

Copy to the Commissioner & Director of School Education, A.P., Hyderabad.

Copy to the Regional Joint Director of School Education, Kakinada.

Copy to the Secretary, A.P. Public Service Commission, Hyderabad for information.

Copy to SF/SCs.

//forwarded by order//

SECTION OFFICER